

October 7, 2002

Docket Management System
U.S. Department of Transportation
Room 401
400 Seventh Street, S.W.
Washington, DC 20590-0001

These comments are provided in response to the Federal Aviation Administration (FAA) Aviation Safety Action Programs (ASAP), Notice of Proposed Order, Docket Number FAA-2002-13236, Designating Information as Protected from Disclosure.

The Air Line Pilots Association, International agrees that information provided to the FAA from Voluntary Aviation Safety Action Programs should be protected from public disclosure in accordance with 14 CFR Part 193.

The current ASAP process does not provide for the FAA to take possession of individual ASAP reports, except for those reports which are excluded from the program for criminal activity, substance abuse, controlled substances, alcohol, or intentional falsification. Additionally, the ASAP Advisory Circular expressly prohibits the FAA from using either the report or the content of the report for enforcement action. Therefore, we think that all references to "ASAP reports that are in the possession of the FAA" should be replaced with "Aggregate ASAP Trend information in possession of the FAA".

The proposed order refers to the "ASAP Voluntary Information Sharing Program". We do not know of any formal program by that name associated with the ASAP Programs, nor is there any reference to such a program in the ASAP Advisory Circular. ALPA is not adverse to such a program, but we think that such a program should be developed and implemented through the ASAP Aviation Rule Making Committee.

Contained in "**Proposed Findings (4)**", we do not know what is meant by the last sentence, "It would also better permit the FAA to serve as a national safety information resource for certificate holders". There are already other possibilities for this endeavor, such as The Air Transportation Association's ASIS program or possibly NASA ASRS.

Most importantly, the FAA, through the ASAP programs in place, currently has access to ASAP Reports on a periodic basis during the Event Review Committee meetings. The FAA during this process helps identify safety issues, develop corrective actions, and

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monitors the success of these corrective actions during subsequent ASAP Report review. Therefore, additional ASAP information submission to the FAA should be in the aggregate form in order to support the identification and correction of National Airspace safety issues. Therefore, a statement in the paragraph describing the proposed data sharing program should describe this concept.

Sincerely,

A handwritten signature in cursive script, appearing to read "John O'Brien".

John O'Brien
Director, Engineering and Air
Safety Department